

## **WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **FINANCE**

DATE: **DECEMBER 6, 2006**

### **Committee Members Present:**

Supervisors      Monroe  
                         Belden  
                         Stec  
                         O'Connor  
                         Bentley  
                         Tessier  
                         Champagne  
                         VanNess  
                         Kenny

### **Others Present:**

William Thomas, Chairman  
Joan Parsons, Commissioner of  
Administrative & Fiscal Services  
Joan Sady, Clerk of the Board  
Paul Dusek, County Attorney  
Supervisor Caimano  
Supervisor Gabriels  
Supervisor Haskell  
Supervisor Geraghty  
Rick Murphy, Deputy Commissioner of  
Administrative and Fiscal Services  
Frank O'Keefe, County Treasurer  
William Lamy, Superintendent DPW  
Larry Cleveland, Sheriff  
Pat Tatich, Director of Planning and  
Community Development  
Rob Metthe, Director of Information  
Technology  
Robert Phelps, Commissioner of Social  
Services  
Hal Payne, Administrator of Westmount  
Health Facility  
Jason Carusone, First Assistant District  
Attorney  
Clark Patterson Associates Representatives:  
    Jon Norris  
    Norm Gardner  
Maury Thompson, *The Post Star*  
Nicole Livingston, Deputy Clerk

Mr. Monroe called the meeting to order at 10:07 a.m.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve the minutes of the November 8, 2006 Committee meeting, subject to correction by the Clerk.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Mr. Monroe referred to Item 1, Request for Transfer of Funds. He noted that there were no requests from outside the budget, all were transfers within the budget to balance accounts.

Motion was made by Mr. Stec, seconded by Mr. VanNess and carried unanimously to approve the request as outlined and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe apprised Items 2A - I were referrals from the DPW Committee. He listed the requests as follows:

- A) Closing County Road Project D5112.8113.2 - Intersection Glen Lake Road and Route 9, with the balance of \$33,003.99 to be transferred into the General Fund Unappropriated Surplus and \$9,308.82 returned to the Town of Queensbury.
- B) Increasing County Road Project D5112.8076.280 - Bay Road Route 9L South, in the amount of \$18,000, with the source of funding to be transferred from the General Fund Unappropriated Surplus.
- C) Increasing Capital Project H.159.9550.280 - Fuel Management Expansion, in the amount of \$8,000, with the source of funding to be transferred from the General Fund Unappropriated Surplus.
- D) Requesting \$7,000 to be transferred from the General Fund Unappropriated Surplus into D5010 220 - Highway Administration Office Equipment to complete the DATA component of the new phone system at the DPW Administration.
- E) Increasing Capital Project H.199.9550 280 - Corinth Road Reconstruction, in the amount of \$50,000, with the source of funding to be transferred from A.9950.910 - Transfers Capital Projects.
- F) Increasing Capital Project H.214.9550 280 - Woolen Mill Bridge, in the amount of \$135,000, with the source of funding to be transferred from A.9950.910 - Transfers Capital Projects.
- G) Increasing Capital Project H.166.9550 280 - Lake George Basin Sewer, in the amount of \$250,000, with the source of funding to be transferred from A.9950.910 - Transfers Capital Projects.
- H) Establishing Capital Project H.272.9550 280 - Harrington Road Bridge, in the amount of \$10,000, with the source of funding to be transferred from A.9950.910 - Transfers Capital Projects.
- I) Increasing County Road Project D5112-8025.2 - Diamond Point Road (CR #35) in the amount of \$7,000 with the source of funding to be transferred from

A.9950.910 - Transfers Capital Projects, to provide a Local match for the grant to complete stormwater improvements on County Road #35.

Motion was made by Mr. Belden and seconded by Mr. Stec to approve the requests as outlined above.

Mr. Belden explained these requests had been discussed at the DPW Committee meeting and all were included within the budget.

Mr. Monroe called the question and the motion was carried unanimously to approve Items 2A through 2I as outlined above and the necessary resolutions were authorized for the next Board meeting.

Continuing with Item 3, Mr. Monroe addressed referrals from the Health Services Committee. He stated Item 3A was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$333.34 to reflect the receipt of grant funds from Wal-Mart to the WIC (Women, Infant and Children) Program. He added that Item 3B was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$50,000 and to reflect changes in expenditures and revenues for 2006-2007 Emergency Preparedness grant funding to accurately reflect how the funds are utilized.

Motion was made by Mr. VanNess, seconded by Mr. Stec and carried unanimously to approve Items 3A and B as outlined above and the necessary resolutions were authorized for the next Board meeting.

Mr. Monroe expounded Items 4A and B were referrals from the Planning and Community Development Committee. He stated Item 4A was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$200,000 to reflect the receipt of the Housing Trust Fund Corporation Home award. He noted that Pat Tatich, Director of Planning and Community Development, would like to address the Committee regarding this request.

Privilege of the floor was extended to Ms. Tatich, who explained it was her understanding, based on the Legislation that the Governor had signed in July of 2006, that municipalities would be included in the list of eligible applicants. However, she noted, upon further research it was discovered that counties were not specified in that change of Legislation. She recommended that the Finance Committee table the resolution request until it was determined what would be done with the funds.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to table the request as outlined by Ms. Tatich.

Mr. Monroe said Item 4B was a request to establish Capital Project- Feeder Canal Community Connections- in the amount of \$149,585 with the source of funding to be a grant award from the NYS (New York State) Canal Corporation.

Motion was made by Mr. Stec, seconded by Mr. Champagne and carried unanimously to approve Item 4B as outlined above. The necessary resolution was authorized for the next Board meeting.

Mr. Stec thanked the Planning and Community Development staff that put the application together to facilitate the work that will occur in the Town of Queensbury and the City of Glens Falls. Ms. Tatich added this was the first time they had a corporate partner involved in the grant application, which was Finch Pruyn and Company, Inc.

Mr. Monroe recognized Supervisor Haskell was present and had requested that the representatives from Clark Patterson and Associates have privilege of the floor to review the SEQR (State Environmental Quality Review) report.

Mr. Haskell introduced Jon Norris and Norm Gardner, both from Clark Patterson Associates, who had requested to address the Finance Committee regarding the findings of the SEQR report.

Privilege of the floor was extended to Norm Gardner who distributed a packet to the Committee members entitled "Part 2 - Project Impacts and Their Magnitude - Responsibility of Lead Agency", a copy of which is on file with the minutes. Mr. Gardner said he was present to review the SEQR process that was being completed for the new Health and Human Services building proposed on the Westmount Health Facility campus. He noted that Part 1 of the Environmental Impact Statement had been circulated, and that part identified the environmental setting for the site. He further explained that Warren County, having been established as the Lead Agency, was now responsible to determine any environmental significance associated with this project if it were to go forward. He added that the County's determination would be binding by all the other agencies that had signed off on the coordinative review process. Mr. Gardner reviewed the packet and his recommendations in detail.

Referring to page 11 in the packet, Mr. Gardner reviewed the impacts to land associated with this project, and stated that he had determined the significance of those impacts to be small to moderate, such as slopes greater than 15% that were a concern from erosion potentials, as well as water table concerns. He noted that they had identified that it would take more than a year to build this building.

Mr. Gardner reviewed page 12 in the packet and the impacts on water associated with the project. He said his recommendation was that there would not be any significant impacts to water. He referred to page 14 and the impacts on air. He stated that the building would

essentially be an office building and there would not be any significant generation of air quality concern. He noted included on page 14 was the impact on plants and animals. He added that he had contacted New York State and the United States Fish and Wildlife Service to identify what potential endangered or threatened species were in the area of construction. He apprised that New York State had responded that there was a potential for a timber rattlesnake to habitat in the area; therefore, they had hired an ecologist to assess the site and the determination was that there was not a habitat potential for a timber rattlesnake. He said that the report would be appended to the Board of Supervisors final documentation that would state that in the ecologists opinion, there were no concerns with threatened or endangered species by construction of this building.

Continuing, Mr. Gardner expounded page 15 referred to the impact on agricultural land resources and noted that there were no agricultural lands associated with this project. He said that the design was for the building to be tucked into the hillside and would not stick up over the mountains in any way. He reviewed page 16 and the impact on historic and archaeological resources. He stated the area had historic and pre-historic concerns which they had identified in the Phase I A - Archaeological and Cultural Resources, that there was a potential for archaeological and historic resources on the campus. He added that a crew would begin shovel testing today, which meant they would dig a hole every fifty feet in the area that had been undisturbed, and look for any historic or pre-historic resources. He advised that the process needed to be completed by December 20, 2006. He further explained if nothing was found, he would recommend that there would be no impact on historic and archaeological resources.

Mr. Gardner referred to page 17 and the impact on open space and recreation and stated that it did not appear that there would be any significant impact in that regard.

Mr. Champagne questioned why the archaeological studies had not been started until now, especially when they had already determined the location of the building. Mr. Gardner responded that they had done a preliminary report, called a Phase I A Report, which determined that there was a potential of something being found. He explained that the area had been identified as a flatter spot, associated with the mountains and the wetlands to the South, that left the archaeologists to believe that there was a potential for Indian Campgrounds because it was the only flat spot between the mountains and the swamps. He added that there had also been a historic farm on the property which led to the potential of finding cultural resources. He noted that when State funding or any kind of municipal funding was involved, New York State Law required this process.

Mr. VanNess entered the meeting at 10:30 a.m.

Mr. Gardner reviewed page 17 and the impact on critical environmental areas. He explained that these would be areas identified by the State, or local critical environmental areas, as being environmentally sensitive. He noted that there were areas around that

were considered environmentally sensitive; however, they did not extend to the campus area.

Continuing the review at page 18, Mr. Gardner apprised they had done a transportation impact assessment for the project, and had determined that there would not be any significant impact, although they were recommending a right turn lane be implemented into the campus to facilitate traffic turning into the campus. He added that they had identified construction traffic would utilize County and State roads in the process and there would be construction vehicle traffic associated with the construction of this project. He said this was identified as a small to moderate impact.

He referred to the impact on energy and noted he did not envision any significant impact on energy based on the responses to the questions. He said that in regard to the noise and odor impact, there would be noise impacts as a result of construction which would be eliminated at the end of the project.

Referring to page 19 and the impact on public health, Mr. Gardner stated he did not envision any public health impacts associated with the project. He noted that with regard to the impact on growth and character of community or neighborhood, there would be a change in density by bringing agencies into the facility that were not currently there, leading to a change in density of land use; however, he did not envision it as a major impact.

Mr. Gardner expounded that the last question in the packet was if there would be any public controversy associated with the project and said that he could not recommend an answer to that; the Board would need to make that determination.

Mr. Gardner concluded the review and referred to the last page in the packet entitled "Part 3 - Evaluation of the Importance of Impacts", in which he explained the answers he had given throughout the packet. He noted that there would be several reports appended to this document for the record. He directed attention to the single sheet of paper he had distributed entitled "Warren County Health and Human Services Building Criteria for Determining Significance", and said there were fifteen questions on that form and if the County could answer no, in their opinion, to all of the questions then the project could receive what was called a negative determination, or a negative declaration. He further explained that if the County could answer no to all of those questions and could determine that there was no environmental impact associated with this project, then he would recommend that the project receive a negative declaration from the Board of Supervisors.

Mr. Champagne asked if this would require a public hearing and Paul Dusek, County Attorney, replied it would not at this time; however, it would require a public hearing if there were a full blown environmental impact statement needed, and the pending results of the archaeological study would determine that. Mr. Dusek further commented that the process now would include detailed minutes as to everything that was said by the consultant, Mr.

Gardner, along with the documentation that had been handed out, to be distributed to the full Board of Supervisors. He said it would be anticipated that the results would be received by December 20, 2006, which would require a Special Board of Supervisors Meeting after that date, in order to act upon this statement, as well as the bond resolution.

Mr. Dusek mentioned that in connection with this project, the Town of Queensbury would normally have jurisdiction over anything that goes on in their Town, such as site plans and building approvals. However, he said, because the County was Governmental, he had contacted the Town of Queensbury and the Town had signed off and stated that none of their zoning would apply to this project, as they had done with the Sheriff's Building. He added that the Zoning Administrator for the Town of Queensbury had advised that the County hold a night time meeting, at which time this project could be explained to interested citizens in the area. Mr. Dusek noted a resolution would need to be adopted before the end of the year.

Mr. Monroe thanked Mr. Gardner for his detailed report.

Returning to the Finance Agenda review, Mr. Monroe expounded Item 5 was a referral from the Sheriff and Communications Committee requesting to increase Capital Project H99.9550 280 - Sheriff Vehicle Purchase, in the amount of \$36,000, with the source of funding to be transferred from A.3110 130 Sheriff's Law Enforcement - Salaries -Part-time.

Motion was made by Mr. Bentley and seconded by Mr. Kenny to approve Item 5 as outlined above.

Mr. Kenny asked Sheriff Cleveland if this request was for one or two vehicles. Sheriff Cleveland replied this was not for the actual purchase of vehicles, the money was transferred in order to cover any shortfalls due to catastrophic loss. He added he would be trying to purchase a van soon.

Following brief discussion, Mr. Monroe called the question and the motion was carried unanimously to approve Item 5 as presented, and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe stated Items 6 A - D were referrals from the Social Services Committee. The first, he said, was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$61,070, to correct the shortfall in the personal services due to changes in staffing that were not included in the 2006 Budget.

Motion was made by Mr. Tessier, seconded by Mr. Kenny and carried unanimously to approve Item 6A as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe stated Item 6B was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$474,000, to correct the shortfall in the Home Energy Assistance Program (HEAP).

Motion was made by Mr. Tessier, seconded by Mr. Bentley and carried unanimously to approve Item 6B as outlined above, and the necessary resolution was authorized for the next Board meeting.

Item 6C, Mr. Monroe noted, was a request to amend the 2006 County budget to increase estimated appropriations in the amount of \$379,000 and estimated revenues in the amount of \$186,750 to cover the shortfall in the State Training School charges, and added that \$192,250 was needed and a source of funding was to be determined by the Finance Committee.

Motion was made by Mr. Tessier and seconded by Mr. Bentley to approve the request as outlined above, with the source of funding for the shortfall of \$192,250 to be a transfer from General Fund Unappropriated Surplus.

Mr. Kenny expounded that this had been discussed at the Social Services Committee and it was determined that the full Board of Supervisors wished to protest the unfairness of this bill and Robert Phelps, Commissioner of the Social Services Department, had advised that it was mandated by law that they pay the bill.

Joan Parsons, Commissioner of Administrative and Fiscal Services, apprised that she had spoken with Assemblywoman Sayward with regard to this, and the State Legislature did not move on this increase, therefore, it was not mandated by the State. She further explained that the Office of Children and Family Services realized that they had not increased rates for four years and in their own realm of operation, they had decided to increase the rates and make it retroactive as well.

Mr. Stec thanked Mrs. Parsons for further researching this issue, and stated that the next step was to ask the Legislature to remove this burden from the County. Mr. Monroe added that he could not understand how a Department of the State could impose charges, retroactively, without the Legislature taking action. He continued, and said if the State Legislature had not taken action, then does the State Agency have the authority to impose this on the County. Mr. Phelps noted that by Social Services Law, the County must pay the charges. Mr. Dusek advised this issue may be worth challenging.

Motion was made by Mr. Stec to figure out the current rate for this year and authorize the payment of that charge, and to request the County Attorney draft a letter for signature by the Chairman of the Board, addressed to the Office of Children and Family Services, as well as copies forwarded to the Governor-elect, Senator Little, Assemblywoman Sayward, Senator Bruno and Sheldon Silver, Speaker of the Assembly. He said the letter should



explain the County's position on this issue and why the County was only paying what they felt they owed. The motion was seconded by Mr. Kenny.

Mr. Phelps explained that included in the request for the shortfall in the State Training Schools, there was also a request for \$62,250 to cover the balance for the Foster Care shortfall. He requested the Committee to act on the Foster Care request and he could amend his resolution request form later. Mr. Dusek expounded that Mrs. Parsons had pointed out that the entire transfer could be completed, which did not mean the bill for the State Training Schools would be paid; however, the appropriations could be done just in case there were a problem at the end of the year and that bill did have to be paid. Mrs. Parsons added if the County was successful in protesting the charge, the money would go back into the General Fund.

Mr. Stec amended his motion to include that the entire request be approved, with the understanding that the retroactive charge for the State Training Schools not be paid until further notice, and the source of funding for the \$192,250 be transferred from General Fund Unappropriated Surplus. Mr. Kenny amended his second to the motion accordingly.

Mr. Monroe called the question, and the motion was carried unanimously to approve Item 6C as discussed, with Mr. Belden voting in opposition. The necessary resolution was authorized for the next Board meeting.

Mr. Monroe stated Item 6D was a request to amend the 2006 County budget to increase and decrease estimated revenues and appropriations to cover shortfalls.

Motion was made by Mr. Champagne and seconded by Mr. Bentley to approve the request as outlined above.

Mr. Monroe clarified that the request was for transfers within the existing budget to balance various accounts.

Mr. Monroe called the question and the motion was carried unanimously to approve Item 6D as presented and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe expounded Items 7A and B were referrals from the Support Services Committee. He said the first was from the County Treasurer requesting to increase Capital Project H.148.9550 280 - Landfill Project, in the amount of \$555,000, with the source of funding to be transferred from H.148.2401 - Interest and Earnings, to cover expenditures through December 31, 2006.

Motion was made by Mr. VanNess and seconded by Mr. Stec and carried unanimously to approve Item 7A as outlined above.

Mr. Belden asked where this landfill was located and Mrs. Parsons replied that on the debt service page in the budget the landfill was listed and this was the money that was borrowed

several years ago for the Hartford Landfill, and the interest and earnings paid that every year in order for the County to not raise tax dollars to cover the expenditure.

Mr. Monroe called the question and the motion was carried unanimously to approve the request as presented. The necessary resolution was authorized for the next Board meeting.

Continuing, Mr. Monroe apprised Item 7B was a request from the Information Technology Department to increase Capital Project H.108.9550 280 - Computerization Effort, in the amount of \$38,000, to move 2006 funding to the Computerization Effort in anticipation of 2007 projects.

Motion was made by Mr. Kenny, seconded by Mr. VanNess and carried unanimously to approve Item 7B as outlined above and the necessary resolution was authorized for the next Board meeting.

Mr. Carusone entered the meeting at 10:53 a.m.

Mr. Monroe stated Items 8A and B were referrals from the Tourism Committee. He said Item 8A was a request to amend the 2006 County budget to increase estimated revenues and appropriations in the amount of \$120 to reflect the receipt of Consumer Show Brochure distribution revenue.

Motion was made by Mr. Belden, seconded by Mr. Champagne and carried unanimously to approve Item 8A as outlined above, and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe added Item 8B was a request to amend the 2006 County budget to increase estimated revenues and appropriations for Occupancy Tax in the amount of \$618,200 to allocate funds needed to cover expenses.

Motion was made by Mr. Tessier and seconded by Mr. Kenny to approve Item 8B as outlined above.

Mr. Kenny asked why \$168,000 was being transferred from the General Fund Unappropriated Surplus and Mr. Caimano responded that this was the end of the Paul Kaza Associates contract and the funds were needed to complete the contract.

Mr. Monroe called the question and the motion was carried unanimously to approve Item 8B as presented and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe referred to Items 9A and B which were referrals from the Westmount Health Facility. The first, he said, was a request to increase Capital Project H270.9550 280 - Air Handler Installation, in the amount of \$125,000, with the source of funding to be

transferred from EH6020 0245.470 Nursing Home - Maintenance - Contract, to purchase a second air handler.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve Item 9A as outlined above. The necessary resolution was authorized for the next Board meeting.

Continuing, Mr. Monroe stated Item 9B was a request from the Countryside Adult Home to amend the 2006 County budget to increase estimated appropriations in the amount of \$50,717 and \$13,042 respectively and estimated revenues in the amount of \$31,880; he noted \$31,879 was needed and the source of funding was to be determined by the Finance Committee.

Motion was made by Mr. Tessier and seconded by Mr. Bentley to approve the request and to authorize the source of funding to be a transfer from General Fund Unappropriated Surplus.

Mr. Kenny asked Hal Payne, Administrator of the Westmount Health Facility, how there was a shortfall in regular salaries. Mr. Payne explained part of the problem was overtime and he added that the overtime amount had not been increased since 2002. He further explained that salaries had been increased by 3%, which equated to 4½% in overtime. He stated another problem was that an employee had been suspended for thirty days and then terminated four weeks later. He noted that the position needed to be covered during the suspension. He said that the Dietary Department was a major hit as well, and stated that an employee had been terminated and he had tried to make that position two part-time positions, which took three to four months to complete. During that time, he said, he covered with per diems and part-time staff.

Following the discussion, Mr. Monroe called the question and the motion was carried unanimously to approve Item 9B as outlined above with the source of funding to be a transfer from General Fund Unappropriated Surplus. The necessary resolution was authorized for the next Board meeting.

Mr. Monroe apprised Items 10A and B were regarding the Countryside Home Septic System Replacement. He said 10A was a request to rescind Resolution No. 293 of 2006, Budget Note Resolution Dated April 13, 2006 of the County of Warren in the Amount of \$320,000 for Countryside Adult Home Septic System Replacement. He stated 10B was a request to amend Resolution No. 294 of 2006, changing the funding source of \$320,000 to General Fund Unappropriated Surplus.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve Items 10A and B as outlined above and the necessary resolutions were authorized for the next Board meeting.

Mr. Monroe expounded Items 11A and B were regarding payments made following the Police Benevolent Association's (PBA) contract settlement. He said 11A was a request to rescind Resolution No. 494 of 2006, Budget Note Resolution Dated July 14, 2006 of the County of Warren in the amount of \$193,000 to Cover Retroactive Salary and Fringe Benefit Payments Made Following the Police Benevolent Association's Contract Settlement with the Sheriff's Office. He noted 11B was a request to change the funding source of \$193,000 to General Fund Unappropriated Surplus.

Motion was made by Mr. Bentley, seconded by Mr. VanNess and carried unanimously to approve Items 11A and B as outlined above and the necessary resolutions were authorized for the next Board meeting.

Mr. Monroe referred to Items 12A - D and stated that Paul Dusek, County Attorney, had requested to address the Committee regarding those items. He noted Item 12B could be removed from the Agenda because it had been addressed in the Personnel Committee meeting.

Mr. Dusek said the first item was with regard to Health Insurance rates for various providers for 2007. He explained this was routine business and a resolution was needed to authorize the contracts with the various Health Insurance providers offered by the County to its employees.

Motion was made by Mr. Belden, seconded by Mr. Champagne and carried unanimously to approve Item 12A as presented and the necessary resolution was authorized for the next Board meeting.

Mr. Belden asked what the increase in Health Insurance coverage was for the County this year and Mrs. Parsons replied the rates were subject to approval by New York State; however, she said she believed the budget figure was 15%.

Discussion ensued regarding the Health Insurance rates for 2007.

Continuing, Mr. Monroe stated Item 12C was a request to rescind Resolution No. 609 of 2006, Authorizing Use of Municipal Center Space by the New York State Office of Court Administration, and he added Mr. Dusek had an update on the status of the Health and Human Services building project.

Motion was made by Mr. Belden and seconded by Mr. Kenny to rescind Resolution No. 609 of 2006 as outlined above.

Mr. Dusek reminded the Committee members that the Board had decided to proceed with the Health and Human Services building only and not with the renovations or additions to the Municipal Center. He explained that Resolution No. 609 of 2006 authorized and directed a letter to be issued to the Office of Court Administration which advised that Warren County was in agreement to provide space in the Municipal Center. He further

stated since that would not be happening, the previous resolution needed to be modified to indicate that the space in the Municipal Center was no longer available.

Mr. Stec suggested further researching the possibility of consolidating the Town Courts into a District Court for Warren County. Discussion ensued. Mr. Monroe recommended that the question be referred to the Criminal Justice Committee.

Following discussion, Mr. Monroe called the question and the motion was carried unanimously to approve Item 12C as presented and the necessary resolution was authorized for the next Board meeting.

Motion was made by Mr. Stec, seconded by Mr. O'Connor and carried unanimously that the recommendation of consolidating all Town Courts into a District Court be referred to the Criminal Justice Committee for further research.

Concluding the Agenda review, Mr. Monroe apprised Item 12D was regarding the use of the North Creek News for publications of resolutions, local laws, etc.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to authorize the use of the North Creek News as outlined above and the necessary resolution was authorized for the next Board meeting.

Mr. Dusek requested an executive session in order to discuss matters regarding pending litigation against the County, as well as future investigation which would imperil effective law enforcement if disclosed.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously that executive session be declared pursuant to Section 105 (d) and (c) of the Public Officers Law.

Executive session was declared from 11:26 a.m. to 11:47 a.m.

Committee reconvened.

Pursuant to executive session, motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to appropriate \$3,500 from General Fund Unappropriated Surplus to A.1165 220 District Attorney - Office Equipment. The necessary resolution was authorized for the next Board meeting.

Prior to adjournment, Mrs. Parsons requested to address the Committee. Mrs. Parsons reminded the Committee members that Local Law No. 5 of 1976 was amended to remove the Purchasing, Stockroom and Information Technology Departments from the Administrator. She further explained that the position of Deputy Administrator was included in the 2007 budget and that position needed to be included in the local law as well, thereby amending Local Law No. 5 of 1976 again.

Motion was made by Mr. VanNess and seconded by Mr. Belden to include the position of Deputy Administrator in the amendments to Local Law No. 5 of 1976, as presented.

Mrs. Parsons advised that the verbiage in the local law could be written one of two ways; it could either give the County Administrator the authority to appoint a Deputy or the Board of Supervisors could make those appointments. Mr. Dusek added that they would need to seek exemption from civil service for this position and it would strengthen the position if it were an appointed position by the Department Head.

Following discussion, Mr. Monroe called the question and the motion was carried unanimously to approve amending Local Law No. 5 of 1976 as presented and to give the authority of appointment to the County Administrator with the consult and advice of the Board of Supervisors. The necessary resolution was authorized for the next Board meeting.

There being no further business before the committee, on motion by Mr. Belden and seconded by Mr. Bentley, Mr. Monroe adjourned the meeting at 11:50 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk